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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/681,782

10/08/2003

Fabio Casati

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7590

06/25/2009

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

DUONG, THOMAS

ART UNIT

PAPER NUMBER

2445

NOTIFICATION DATE

DELIVERY MODE

06/25/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM

ipa.mail@hp.com

jessica.l.fusek@hp.com

Office Action Summary	Application No. 10/681,782	Applicant(s) CASATI ET AL.	
	Examiner Thomas Duong	Art Unit 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

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|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413) |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) ☐ Information Disclosure Statement(s) (PTO/SB/08) | 5) ☐ Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) ☐ Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1, 4, 11-12, 14, 22, 25, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randle et al. (US 20060107036A1) and in view of Murstein et al. (US006789046B1).
3. With regard to claims 1, 11, 22, 25, 27 and 29, Randle discloses,
 - *receiving a transaction from a client;* (Randle, para.1-88)

Randle discloses, “As shown by the ellipses 410a . . . 410n in FIG. 4, parties, such as one or more participants providing a service (“provider”) 420a . . . 420n that has a shared trust relationship with a participant requesting a service 430 (“requester”) participate in the network” (Randle, para.36). Hence, Randle teaches of receiving a request for service (i.e., Applicants’ transaction) from a participant (i.e., Applicants’ from a client).
 - *routing the transaction to an appropriate web service for execution of the transaction;* (Randle, para.1-88)

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Randle discloses, *"The request processor of the SSG authenticates the connecting participant and verifies that the participant is authorized to perform the given request. If verification succeeds, then the request processor locates a service associated with the specified URL, and allows the participant access to that service"* (Randle, para.44). Hence, Randle teaches of locating the requesting service from the appropriate server (i.e., Applicants' routing the transaction to appropriate web service) and allowing the participant to access that service (i.e., Applicants' for execution of the transaction).

- *executing the transaction;* (Randle, para.1-88)

Randle discloses, *"The request processor of the SSG authenticates the connecting participant and verifies that the participant is authorized to perform the given request. If verification succeeds, then the request processor locates a service associated with the specified URL, and allows the participant access to that service"* (Randle, para.44). Hence, Randle teaches of locating the requesting service from the appropriate server (i.e., Applicants' routing the transaction to appropriate web service) and allowing the participant to access that service (i.e., Applicants' for execution of the transaction).

- *monitoring and logging transaction execution performance data relating to receiving and executing the transaction; and* (Randle, para.1-88)

Randle discloses, *"GSSG includes security proxy service, and infrastructure functions and performs management and operations of the network such as the deployment service, support and billing. GSSG management features comprise participant enrollment and look-up, system-of-record connectivity, service statistics, transaction audit logging, activity billing, payment item verification, and*

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document and image exchange. GSSG administration comprises service level reporting performance monitoring, open source based operating system, Java Management Extensions (JMX), Java management, and audit/logging management. In an embodiment, the GSSG performs an end to end audit comprising Hop level data for each major component, simple network management protocol (SNMP) for the integration of the exchange of information, Java management extensions (JMX), and proxy ID's to legacy systems for auditing, logging, tracing, and tracking" (Randle, para.50). Hence, Randle teaches of reporting performance monitoring and logging (i.e., Applicants' monitoring and logging transaction execution performance data) relating to the request (i.e., Applicants' receiving and executing the transaction).

However, Randle does not explicitly disclose,

- *reporting the performance data based on pre-defined performance metrics.*

Murstein teaches,

- *reporting the performance data based on pre-defined performance metrics.*

(Murstein, col.1, line 5 – col.13, line 19)

Murstein discloses, *"A method for monitoring performance metrics of a plurality of members configured as an entity, comprising: setting configurable performance metric settings for determining performance metric types to be monitored; propagating the performance metric settings to a plurality of remaining members of the entity to establish performance metric configuration settings at the plurality of members; logging performance metric data at predefined time periods and resolutions at each of the plurality of members based on the performance metric configuration settings at each of the plurality of members; and dynamically*

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updating the logging of performance metric data at each of the plurality of members based on any changes in the performance metric settings” (Murstein, claim 23). Hence, Murstein teaches of logging (i.e., Applicants' reporting) the performance metric data (i.e., Applicants' performance data) based on any changes in the performance metric settings (i.e., Applicants' based on pre-defined performance metrics).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Murstein with the teachings of Randle to effectively monitor the performance of the system as well as the network.

4. With regard to claims 4 and 14, Randle and Murstein disclose,

- *wherein the tracking and communicating steps are performed by a SOAP tracker.*

(Randle, para.1-88)

Randle discloses, *“The services infrastructure comprises a message protocol stack, a message specification, content, a processing model, means for routing and exception handling, and at least one integrated security and management function. The protocol stack comprises messaging architecture employing a standard web services implementation. Messaging architecture employs a standard web services protocol stack based on XML messages in SOAP over an HTTP transport. Each participant's family of services is defined and created using WDSL and objects” (Randle, para.56).*

5. With regard to claim 12, Randle and Murstein disclose,

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- *herein the tracking system further comprises a SOAP tracker device.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19)

Randle discloses, *"The services infrastructure comprises a message protocol stack, a message specification, content, a processing model, means for routing and exception handling, and at least one integrated security and management function. The protocol stack comprises messaging architecture employing a standard web services implementation. Messaging architecture employs a standard web services protocol stack based on XML messages in SOAP over an HTTP transport. Each participant's family of services is defined and created using WDSL and objects"* (Randle, para.56).

6. Claims 2-3, 5-10, 13, 15-21, 23-24, 26, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randle et al. (US 20060107036A1), in view of Murstein et al. (US006789046B1) and further in view of Curley et al. (US 20020120727A1).

7. With regard to claims 2, 13, 23-24 and 26, Randle discloses,

See *claim 1* rejection as detailed above.

However, Randle does not explicitly disclose,

- *wherein the receiving the transaction includes tracking information relating to the transaction and communicating the information to a web services manager (WSM) for performance analysis.*

Curley teaches,

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- *wherein the receiving the transaction includes tracking information relating to the transaction and communicating the information to a web services manager (WSM) for performance analysis.* (Curley, para.1-257)

Curley discloses, “While real-time monitoring and immediate problem solving are useful, it is equally important to review historical trends to identify system weak spots so Web managers can design better networks or redesign their Web systems to improve future performance. Network monitor can provide numerous reports, which allow the Web manager to analyze whether performance problems are occurring outside the firewall, and if so, devise solutions. Those might include, e.g., working with an ISP to achieve better backbone peering or setting up distributed caching solutions” (Curley, para.14). Hence, Curley teaches of the web manager (i.e., Applicants’ WSM) performing performance analysis.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Murstein with the teachings of Randle to effectively monitor the performance of the system as well as the network.

8. With regard to claim 3, Randle, Murstein and Curley disclose,

- *wherein the routing step is performed by a SOAP router or application server.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)

Randle discloses, “The services infrastructure comprises a message protocol stack, a message specification, content, a processing model, means for routing and exception handling, and at least one integrated security and management function. The protocol stack comprises messaging architecture employing a

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standard web services implementation. Messaging architecture employs a standard web services protocol stack based on XML messages in SOAP over an HTTP transport. Each participant's family of services is defined and created using WDSL and objects” (Randle, para.56).

9. With regard to claims 5, 15 and 18, Randle, Murstein and Curley disclose,

- *wherein the monitoring and logging step includes the use of a service registry and a service composition engine to record and store data in service execution logs relating to instances of conversation transaction or composition transaction.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)

10. With regard to claims 6, 17 and 30, Randle, Murstein and Curley disclose,

- *wherein the reporting step is performed by the WSM.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)
Curley discloses, “While real-time monitoring and immediate problem solving are useful, it is equally important to review historical trends to identify system weak spots so Web managers can design better networks or redesign their Web systems to improve future performance. Network monitor can provide numerous reports, which allow the Web manager to analyze whether performance problems are occurring outside the firewall, and if so, devise solutions. Those might include, e.g., working with an ISP to achieve better backbone peering or setting up distributed caching solutions” (Curley, para.14).

11. With regard to claims 7-10, 16, 19-21 and 28, Randle, Murstein and Curley disclose,

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- *wherein the reporting step includes extracting data from a service registry or the service execution logs for use by the WSM to generate performance reports.*
(Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)
- *wherein the WSM further includes a WSM definer, a metric schema and a WSM engine to generate performance reports.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)
- *wherein the WSM engine receives data from a SOAP tracker and data relating to conversation definitions, composition service definitions and related execution data.* (Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)
- *wherein the WSM engine communicates with a web framework and related application servers to provide performance reports to business or IT personnel.*
(Randle, para.1-88; Murstein, col.1, line 5 – col.13, line 19; Curley, para.1-257)

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571/272-7304. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

/Thomas Duong/

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Patent Examiner, Art Unit 2445

June 23, 2009

/NIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445